IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.2898 of 2007

Jeetu Shardaprasad Pathak ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Vinod Wagh, Advocate for the applicant.

Mr Rajesh More, APP for the State.

CORAM: V.C. DAGA,J.
DATED: 19TH SEPT, 2007.

P.C.:-

1. Heard learned counsel for the applicant and learned A.P.P.for the State.

2. Perused application and the material available on record.

3. The applicant, arrested in C.R. No.69 of 2006, registered with Kulal Police Station, Mumbai for the offence under Sections 307, 324, 323, 504, 506(2), read with Section 34 of the I.P.C.

4. The learned counsel for the applicant pressed into service the judgment of the Sessions Court in Sessions Case No. 673 of 2006 dated 10-1-2007; wherein, all other accused persons are acquitted. Considering

the material on record and the finding recorded in the judgment, the applicant would be entitled for bail on following terms and conditions.

(a)The applicant-accused be released on bail in C.R. No.69 of 2006, registered with Kulal Police Station, Mumbai for the offence under Sections 307, 324, 323, 504, 506(2), read with Section 34 of the I.P.C. in the sum of Rs.25,000/-with one or two local sureties in the like amount.

(b) The applicant will not be released unless he furnishes proof of his residential address, as mentioned in the cause title of this application or otherwise, and shall not change the residence without prior intimation to the I.O.

c] The applicant shall report to the concerned Police Station as and when called till the conclusion of the trial.

d] The applicant shall not, directly or indirectly, make any inducement or

threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

e] The applicant shall co-operate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

5. Application is disposed of in above terms.

(V.C. DAGA,J.)